

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

NO. C 06-01407 JW
C 06-01730 JW

In re County of Monterey Initiative Matter


ORDER CONSOLIDATING CASES

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Pending before this Court are two civil actions, C 06-1407 and C 06-1730. These cases involve the same issue of law and fact and requesting conflicting relief. The Court orders the cases consolidated. All future papers shall be filed in C 06-1407, the earlier filed case. The Clerk shall close case No. C 06-1730. In all future filings, the caption shall be read: "In re County of Monterey Initiative Matter."

A hearing for motions on Preliminary Injunction in the consolidated cases is set for March 21, 2006 at 10 a.m. The consolidated actions raise a question of law for decision by the Court sitting without a jury. It appears that a ruling on the motions for a preliminary injunction would resolve the cases on the merits. Therefore, pursuant to Rule 65(a)(2), a trial of the actions on the merits is advanced and consolidated with the hearing of the two motions for a preliminary injunctions.

Dated: March 20, 2006



JAMES WARE
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

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7 **Dated: March 20, 2006**

Richard W. Wieking, Clerk

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9 **By: /s/ JW Chambers**

Melissa Peralta
Courtroom Deputy